REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 14 and 15 have been added. Claims 2, 7, and 11 were previously canceled. Additionally, claim 5 has been canceled without prejudice or disclaimer of the subject matter contained therein. Therefore, claims 1, 3, 4, 6, 8-10 and 12-15 are pending in the present application, of which claims 1, 6, and 10 are independent.

Claim Rejection Under 35 U.S.C. 112, Second Paragraph

Claims 1, 3-6, 8-10 and 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Independent claim 1 has been amended to clarify "first extracting by the computer, in response to receiving a work order, worker information related to a worker having a skill capable of performing each work item with respect to the work order, based on information of each work item with respect to the work stored in a work item information storage unit and skill information of workers stored in a skill information storage unit" and "second extracting by the computer, if no worker information is extractable for a work item as a result of said first extracting, another worker information related to a worker who will have a skill capable of performing each work item with respect to the work order, by a time when each work item of the work order is performed, based on information related to the end date of the training stored in the skill information storage unit".

Independent claim 5 has been cancelled.

Independent claim 6 has been amended to clarify "a worker extracting unit configured to extract by a first extraction, in response to receiving a work order, worker information related to a worker having a skill capable of performing each work item with respect to the work order, based on the information of each work item with respect to the work stored in the work item information storage unit and

the skill information of workers stored in the skill information storage unit, and to extract by a second extraction, if no worker information is extractable for a work item as a result of the first extraction, another worker information of a worker who will have a skill capable of performing each work item with respect to the work order, by a time when each work item of the work order is performed, based on the information related to the end date of the training stored in the skill information storage unit".

Independent claim 10 has been amended to clarify "first extracting causing the computer to extract, in response to receiving a work order, worker information related to a worker having a skill capable of performing each work item with respect to the work order, based on information of each work item with respect to the work stored in a work item information storage unit and skill information of workers stored in a skill information storage unit" and "second extracting causing the computer to extract, if no worker information is extractable for a work item as a result of said first extracting, another worker information related to a worker who will have a skill capable of performing each work item with respect to the work order, by a time when each work item of the work order is performed, based on information related to the end date of the training stored in the skill information storage unit".

The amendments to independent claims 1, 6 and 10 are clarifying amendments responsive to the Office Action's interpretation to further clarify conditions for various extractions of worker information.

Accordingly, withdrawal of the claim rejection under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claim Rejection Under 35 U.S.C. 103

Claims 1, 5, 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. (US Pat-7,155,400) in view of Casey-Cholakis et al. (US Pat-6,438,353).

INDEPENDENT CLAIM 1

Independent claim 1 has been amended to recite, among other things, "first extracting by the computer, in response to receiving a work order, worker information related to a worker having a skill capable of performing a work item with respect to the work order, based on information of the work item with respect to the work stored in a work item information storage unit and skill information of workers stored in a skill information storage unit" and "second extracting by the computer, when no worker information is extractable for the work item as a result of said first extracting, another worker information related to a worker who will have a skill capable of performing the work item with respect to the work order, by a time when the work item of the work order is performed, based on information related to the end date of the training stored in the skill information storage unit".

As acknowledged on page 10, line 20 to page 11, line 5 of the Office Action, Jilk et al. does not disclose or suggest, among other things, "if no worker information is extractable for a work item as a result of said extracting, extracting ...." Hence, the Office Action on page 11, lines 6-20 relies upon Casey-Cholakis et al. to disclose a training system that tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

In addition, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, "first extracting by the computer, in response to receiving a work order, worker information related to a worker having a skill capable of performing a work item with respect to the work order, based on

information of the work item with respect to the work stored in a work item information storage unit and skill information of workers stored in a skill information storage unit" and "second extracting by the computer, when no worker information is extractable for the work item as a result of said first extracting, another worker information related to a worker who will have a skill capable of performing the work item with respect to the work order, by a time the work item of the work order is to be performed, based on information related to the end date of the training stored in the skill information storage unit," as is recited in independent claim 1.

Accordingly, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, extracting the worker information by a combination of the "first extracting" and the "second extracting", as is recited in independent claim 1.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinctions of claim 1 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claim 1.

INDEPENDENT CLAIM 5

The obviousness rejection of independent claim 5 is moot because independent claim 5 has been cancelled.

INDEPENDENT CLAIM 6

Independent claim 6 has been amended to recite, among other things, "a worker extracting unit configured to extract by a first extraction, in response to receiving a work order, worker information related to a worker having a skill capable of performing a work item with respect to the work order, based on the information of the work item with respect to the work stored in the work item information storage unit and the skill information of workers stored in the skill information storage unit, and to extract by a second extraction, when no worker information is

extractable for the work item as a result of the first extraction, another worker information of a worker who will have a skill capable of performing the work item with respect to the work order, by a time when the work item of the work order is performed, based on the information related to the end date of the training stored in the skill information storage unit".

As similarly explained above with respect to claim 1, at least these noted features of claim 6 provide distinctions over each of Jilk et al. and Casey-Cholakis et al., and thus over their combination. In view of the distinctions of claim 6 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claim 6.

INDEPENDENT CLAIM 10

Independent claim 10 has been amended to recite, among other things, "first extracting causing the computer to extract, in response to receiving a work order, worker information related to a worker having a skill capable of performing a work item with respect to the work order, based on information of the work item with respect to the work stored in a work item information storage unit and skill information of workers stored in a skill information storage unit" and "second extracting causing the computer to extract, when no worker information is extractable for a work item as a result of said first extracting, another worker information related to a worker who will have a skill capable of performing the work item with respect to the work order, by a time when the work item of the work order is performed, based on information related to the end date of the training stored in the skill information storage unit."

As similarly explained above with respect to claim 1, at least these noted features of claim 10 provide distinctions over each of Jilk et al. and Casey-Cholakis et al., and thus over their combination. In view of the distinctions of claim 10 noted above, at least one claimed element is not present in the asserted combination of

references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claim 6.

Dependent Claims 3, 4, 8, 9, 12 and 13

Claims 3, 4, 8, 9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. in view of Casey-Cholakis et al., in further view of Brodersen et al. (US Pat-6,850,895).

Claims 3, 4, 8, 9, 12, and 13 ultimately depend from independent claims 1, 6, and 10, respectively. A basis for how Jilk et al. and Casey-Cholakis are deficient vis-à-vis claims 1, 6, and 10 has been discussed above. The Office Action does not rely upon Brodersen et al. to compensate for these deficiencies. Hence, the noted features of claim 1, 6, and 10 also provide distinctions over Brodersen et al.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinctions of claims 1, 6, and 10 explained above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 1, 6, and 10. Claims 3, 4, 8, 9, 12, and 13 (and, for that matter, new claims 14 and 15) ultimately depend from claims 1, 6, and 10, respectively, and so at least similarly distinguish over the asserted combination of references.

In view of the foregoing discussion, the rejection of claims 3, 4, 8, 9, 12, and 13 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

New Claims 14 and 15

As noted, new claims 14 and 15 have been added. As they ultimately depend from claims 1 and 10, respectively, they at least similarly distinguish over the asserted combination of references.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: September 27, 2010

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